

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOEL GAUCE,

Plaintiff,

v.

PA. ST. DEPT. OF CORRECTIONS,
SCI-ADMINISTRATION, DEPUTY
SUPERINTENDENT JEROME WALSH,
PA. BD. OF PROBATION AND PAROLE,

Defendants.

CIVIL ACTION NO. 14-2527

ORDER

AND NOW, this 14th day of July, 2014, after considering the Application for Prisoners to Proceed in District Court Without Paying Fees or Costs (Doc. No. 1) filed by the plaintiff *pro se*, Joel Gauche,¹ and after considering his *pro se* Complaint (Doc. No. 1-1), it is hereby **ORDERED** as follows:

1. The Application for Prisoners to Proceed in District Court Without Paying Fees or Costs is **GRANTED** and the plaintiff has leave to proceed *in forma pauperis*;

2. The plaintiff shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by the plaintiff, an initial partial filing fee of \$56.79 is assessed. The Superintendent or other appropriate official at the State Correctional Institution at Dallas or at any other prison at which the plaintiff may be incarcerated is directed to deduct \$56.79 from the plaintiff's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to

¹ As indicated in the Court's Memorandum Opinion, the plaintiff signs his name as "Joel Gauche" and his prison account statement shows a similar name. Therefore, despite the spelling on the caption, the Court refers to the plaintiff as "Joel Gauche".

be credited to Civil Action No. 14-2527. After the initial partial filing fee is collected and until the full filing fee is paid, the Superintendent or other appropriate official at the State Correctional Institution at Dallas or at any other prison at which the plaintiff may be incarcerated, shall deduct from the plaintiff's account, each time that the plaintiff's inmate trust fund account exceeds \$10, an amount no greater than 20 percent of the money credited to his account during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 14-2527;

3. The Clerk of Court is directed to send a copy of this order to the Superintendent of the State Correctional Institution at Dallas;

4. The Complaint is **DISMISSED** as legally frivolous, under 28 U.S.C. § 1915(e)(2)(B)(i), for the reasons stated in the Court's Memorandum Opinion; and

5. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.